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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,905	02/11/2004	Vijay S. Raisinghani	IS01311TC	3070
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MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER BHATTACHARYA, SAM	
			ART UNIT	PAPER NUMBER
			2617	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/776,905	Applicant(s) RAISINGHANI ET AL.	
	Examiner Sam Bhattacharya	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-17 and 19-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-17 and 19-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 17 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonoyama et al. (US 2004/0122570) in view of Stewart et al. (US 5,058,044).

Regarding claim 1, Sonoyama discloses a communication system for communication between a vehicle and a service station, including a vehicle 1 having a diagnostic system, a transceiver 11 operable on a LAN, and a memory 12 for storing diagnosis information concerning a performed diagnosis on the vehicle; and a local communication device 16, the local communication device operable on the LAN and operable to access the diagnostic system and to download the diagnosis information from the vehicle. Sonoyama also discloses that the LAN is a wireless LAN (see FIG. 1). See FIG. 1, paragraph 22, lines 1-13 and paragraph 24, lines 1-7.

Sonomoya fails to disclose that the local communication device is in the service station accessing the vehicle diagnostic system from an external source to perform a diagnosis of the vehicle and that the communication system operates such that the local communication device synchronizes service records, including the service history with the vehicle.

However, in an analogous art, Stewart discloses an automated maintenance checking system including a local communication device 32 is in a service station accessing a vehicle diagnostic (maintenance) system 17 from an external source to perform a diagnosis of the vehicle

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and that the communication system operates such that the local communication device synchronizes service records, including the service history with the vehicle. See FIG. 1 and col 6, line 11-col. 7, line 42. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Sonoyama by incorporating this feature, as taught by Stewart, for the purpose of allowing performance of diagnoses on several vehicles simultaneously from one source.

Regarding claim 2, Sonoyama discloses that the LAN is a wireless LAN and the local communication device is to query for the vehicle transceiver within a coverage area of the LAN. See paragraph 25, lines 1-8.

Regarding claim 4, Sonoyama discloses that the local communication device queries a vehicle for identification information and provides the identification information for correlation with ownership information in a local database. See paragraph 37, lines 1-7 and paragraph 86, lines 1-13.

Regarding claim 17, Sonoyama discloses a method for communication between a service station and a vehicle 1 with a transceiver 11 operable on a local area network, a diagnostic system, and having a memory 12 for storing information on the vehicle, the method including querying for a vehicle local area network transceiver within a coverage area of a local area network; downloading vehicle identification information and the diagnosis information from the memory over the local area network; and determining service required for the vehicle using the identification information and/or the diagnosis information. Sonoyama also discloses that the local communication device queries a vehicle for identification information and provides the identification information for correlation with ownership information in a local database. See

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paragraph 22, lines 1-13, paragraph 25, lines 1-8, paragraph 37, lines 1-7 and paragraph 86, lines 1-13.

Sonomoya fails to disclose querying the vehicle diagnostic system from service station to perform a diagnosis of the vehicle, where the local communication device of the vehicle service station communicates with the diagnostic system of the vehicle.

However, in an analogous art, Stewart discloses querying the vehicle diagnostic system from service station to perform a diagnosis of the vehicle, where the local communication device of the vehicle service station communicates with the diagnostic system of the vehicle. See col. 7, lines 44-55. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Sonoyama by incorporating this feature, as taught by Stewart, for the purpose of allowing performance of diagnoses on several vehicles simultaneously from one source.

Regarding claim 19, Sonoyama discloses that the vehicle includes a transceiver operable over a wide area network, and wherein the determining step includes the substeps of directing the vehicle diagnostic system, over a wide area network, to perform vehicle diagnostics; and downloading the results of the diagnostics over the wide area network. See paragraph 25, lines 1-11.

Regarding claim 20, Sonoyama discloses sending information regarding service of the vehicle to the vehicle through the local area network; and allowing approval of service from the vehicle through the local area network. See paragraph 119, lines 1-8.

Regarding claim 21, Sonoyama discloses storing service record data of the vehicle; and downloading the service record data from the vehicle memory. See paragraph 66, lines 1-12.

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Regarding claim 22, Sonoyama discloses that the determining step includes an interactive session with a driver of the vehicle to assist in determining the service required. See paragraph 24, lines 1-7.

3. Claims 5-16 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonoyama et al. in view of Stewart et al. and Willson, Jr. et al. (US 2003/0033413).

Claims 5, 11 and 23 incorporate the teachings in Sonoyama and Stewart as discussed with respect to claim 1 above.

However, the combination of Sonoyama and Stewart fails to disclose that the vehicle includes a transceiver operable on a wide area network (WAN) of a network service provider and the local communication device is operable on the WAN, and wherein the local communication device can direct the vehicle diagnostic system, over the WAN, to perform vehicle diagnostics and to download results of the diagnostics back to the local communication device over the WAN.

However, in an analogous art, Willson discloses a mobile wireless local area network in which a vehicle transceiver operates on a WAN (the Internet) of a network service provider and a communication device operates on the WAN, where the device directs a vehicle diagnostic system over the WAN to perform diagnostics and to download diagnostic results back to the device over the WAN, the service station further including a WAN transceiver for communicating with the vehicle WAN transceiver on the WAN. See paragraph 24, lines 1-26. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Sonoyama and Stewart by incorporating these

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features, as taught by Willson, for the purpose of allowing use of the vehicle diagnostics at various remote locations in the world that are connected to the Internet.

Regarding claim 6, Willson discloses that the local communication device is operable to download a particular diagnostic test application over the WAN for the vehicle diagnostic system to execute. See paragraph 25, lines 1-11. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Sonoyama, Stewart and Willson by incorporating these features, as further taught by Willson, for the purpose of allowing modification of the test application at remote sites on the Internet.

Regarding claim 7, Sonoyama discloses that the local communication device is operable to send information regarding service for the vehicle to a user interface of the vehicle through the LAN and LAN transceiver. See paragraph 65, lines 1-10.

Regarding claim 8, Sonoyama discloses that the user interface is operable to allow approval of service to the local communication device through the LAN transceiver and LAN. See paragraph 119, lines 1-8.

Regarding claim 9, Sonoyama discloses that the memory of the vehicle is operable to store service record data of the vehicle and is used to download the service record data from the vehicle memory to the local communication device. See paragraph 66, lines 1-12.

Regarding claim 10, Sonoyama discloses that when any vehicle information is to be downloaded, a message indicating the same can be transmitted to a user interface of the vehicle such that a driver of the vehicle can disallow the download if desired. See paragraph 86, lines 1-13.

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Regarding claim 12, Sonoyama discloses that the information contains at least one of a vehicle identification number and an odometer reading, and wherein the local communication device provides the information for correlation with ownership information in a local database.

See paragraph 24, lines 1-7, paragraph 37, lines 1-7 and paragraph 86, lines 1-13.

Claim 13 incorporates the limitations of claims 5, 6 and 11, and is therefore rejected for the same reasons as these claims.

Claim 14 incorporates the limitations of claims 7 and 11, and is therefore rejected for the same reasons as these claims.

Claim 15 incorporates the limitations of claims 9 and 11, and is therefore rejected for the same reasons as these claims.

Regarding claim 16, Sonoyama discloses that the local communication device and the user interface are operable to provide an interactive session with a driver of the vehicle to assist in determining required service. See paragraph 24, lines 1-7.

Regarding claim 24, Sonomoya discloses after receiving the results of the diagnostic, determining service required for the vehicle. See paragraph 24, lines 1-26.

Regarding claim 25, Sonomoya discloses that the determining step includes an interactive session with a driver of the vehicle to assist in determining the service required. See paragraph 66.

Regarding claim 26, Sonomoya discloses sending the determined service required for the vehicle from the service station to the vehicle through the local area network; and allowing approval of service from the vehicle through the local area network. See paragraph 66.

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Regarding claim 27, Sonomoya discloses storing service record data of the vehicle; and downloading the service record data from the vehicle memory. See paragraph 37, lines 1-7.

Regarding claim 28, Sonomoya discloses that the vehicle identification information is correlated with vehicle ownership information in a local database accessible from the service station. See paragraph 28.

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917. The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sb


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